

**IN THE U.S. DISTRICT COURT FOR MARYLAND,
SOUTHERN DIVISION**

BEYOND SYSTEMS, INC.

Plaintiff

v.

WORLD AVENUE USA, LLC
successor by merger to NIUTECH, LLC.,
DBA "THE USEFUL," ET AL.

Defendants

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Case No. PJM 08 cv 0921

INTERIM SEALING MOTION

Plaintiff moves pursuant to Local Rule 105.11 and the Protective Order entered in this case for an interim sealing order as to the documents filed at ECF 714-1, 714-3 and 714-5, which contain material marked by Defendant World Avenue USA, LLC (WAUSA) as confidential. These documents consist of supplemental discovery responses from defendant World Avenue USA, LLC pertinent to the relief sought in the motion.

The order at ECF 708 states in part, “. . . BSI may, if appropriate, attach World Avenue’s allegedly deficient interrogatory responses to its motion, but may file no other attachments or exhibits.”

Some of Defendant’s responses to interrogatories rely on its responses to the document requests, and some of the documents produced are voluminous. Plaintiff started its filing at ECF 714 intending to attach WAUSA’s responses to interrogatories as well as its responses to document requests and relevant portions of the documents produced, in fairness to WAUSA. However, upon re-reading the order, Plaintiff’s counsel recognized that the Court did not intend to invite a voluminous filing and thus stopped adding the attachments. Plaintiff’s counsel stands ready to provide the Court with copies of all of WAUSA’s supplementation pertaining to the

issues in the motion, as the Court may allow or require. Mr. Ring has contacted WAUSA's counsel to suggest a joint call to chambers for clarification as to the materials the Court intended.

Plaintiff objects to Defendants' over-broad designation of material as confidential, and reserve the right to file an appropriate motion challenging the designations.

_____/s/
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Attorneys for Plaintiff

Certificate of Service

I certify that a copy of the foregoing documents was served on the date of ECF filing, via the ECF system, on all counsel of record.

_____/s/
Stephen H. Ring